



Patent
Attorney Docket: 266/013

0300

In re the Application of:

HUBBELL, Jeffrey A. et al.

Serial No.: 09/910,663

Filed: July 19, 2001

For: GELS FOR ENCAPSULATION OF
BIOLOGICAL MATERIALS

Group Art Unit: 1714

Examiner: not yet assigned

RECEIVED

MAR 26 2002

OFFICE OF PETITIONS

**COPY OF PAPERS
ORIGINALLY FILED**

TRANSMITTAL OF CORRECTED APPLICATION PAPERS

Box No Fee
Commissioner for Patents
Washington, D.C. 20231

Sir:

I. DOCUMENTS ENCLOSED:

In response to the **Notice to File Corrected Application Papers**, which was mailed by the Patent Office on December 13, 2001, enclosed are:

- Petition Pursuant to 37 C.F.R. § 1.181;
- Copy of Notice to File Corrected Application Papers dated December 13, 2001;
- Preliminary Amendment;
- Formal Drawings (22 sheets); and
- Correction to Drawings showing the proposed changes in red highlights pursuant to 37 CFR § 1.121(d).

LA-223016.1

CERTIFICATE OF MAILING (37 C.F.R. §1 8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231

February 13, 2002
Date of Deposit

Miyabi Grace
Name of Person Mailing Paper

Miyabi Grace
Signature of Person Mailing Paper

II. PAYMENT:

No fee is required for this request. If Applicants are mistaken, however, the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Lyon & Lyon's Deposit Account No. **12-2475**.

Respectfully submitted,
LYON & LYON LLP

Dated: February 13, 2002

By: _____

Michael J. Wise
Michael J. Wise
Reg. No. 34,047



22249

PATENT TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/910,663	FEB 26 2002 JCA8 PATENT & TRADEMARK OFFICE	Jeffrey A. Hubbell	266/013

22249
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CONFIRMATION NO. 4623

FORMALITIES LETTER



OC00000007192484

COPY OF PAPERS
ORIGINALLY FILED

Date Mailed: 12/13/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - more than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1));

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **8b, 8d, 8e, 8f, 16b and 18b** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.* the

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original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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